



**Billing Code: 4333–15**

## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

**[FWS–R2–ES–2017–N094; FXES11140200000–178–FF02ENEH00]**

### **Incidental Take Permit Applications Received to Participate in American Burying Beetle Amended Oil and Gas Industry Conservation Plan in Oklahoma**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for public comments.

**SUMMARY:** Under the Endangered Species Act, as amended (Act), we, the U.S. Fish and Wildlife Service, invite the public to comment on federally listed American burying beetle incidental take permit applications. The applicants anticipate American burying beetle take as a result of impacts to habitat the species uses for breeding, feeding, and sheltering in Oklahoma. The take would be incidental to the applicants' activities associated with oil and gas well field and pipeline infrastructure (gathering, transmission, and distribution), including geophysical exploration (seismic), construction, maintenance, operation, repair, decommissioning, and reclamation. If approved, the permits would be issued under the approved *American Burying*

*Beetle Amended Oil and Gas Industry Conservation Plan (ICP) Endangered Species Act Section 10(a)(1)(B) Permit Issuance in Oklahoma.*

**DATES:** To ensure consideration, written comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may obtain copies of all documents and submit comments on the applicants' incidental take permit (ITP) applications by one of the following methods. Please refer to the proposed permit number when requesting documents or submitting comments.

- *U.S. Mail:* U.S. Fish and Wildlife Service, Division of Endangered Species—HCP Permits, P.O. Box 1306, Room 6034, Albuquerque, NM 87103.
- *Electronically:* fw2\_hcp\_permits@fws.gov.

**FOR FURTHER INFORMATION CONTACT:** Marty Tuegel, Branch Chief, by U.S. mail at: U.S. Fish and Wildlife Service, Environmental Review Division, P.O. Box 1306, Room 6034, Albuquerque, NM 87103; or by telephone at 505–248–6651.

**SUPPLEMENTARY INFORMATION:**

**Introduction**

Under the Endangered Species Act, as amended (16 U.S.C. 1531 et seq.; Act), we, the U.S. Fish and Wildlife Service, invite the public to comment on incidental take permit (ITP) applications to take the federally listed American burying beetle (*Nicrophorus americanus*) during oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

If approved, the permits would be issued to the applicants under the *American Burying Beetle Amended Oil and Gas Industry Conservation Plan (ICP) Endangered Species Act Section 10(a)(1)(B) Permit Issuance in Oklahoma*. The original ICP was approved on May 21, 2014, and the “no significant impact” finding notice was published in the **Federal Register** on July 25, 2014 (79 FR 43504). The draft amended ICP was made available for comment on March 8, 2016 (81 FR 12113), and approved on April 13, 2016. The ICP and the associated environmental assessment/finding of no significant impact are available on the website at <http://www.fws.gov/southwest/es/oklahoma/ABBICP>. However, we are no longer taking comments on these finalized, approved documents.

### **Applications Available for Review and Comment**

We invite local, State, Tribal, and Federal agencies, and the public to comment on the following applications under the ICP, for incidentally taking the federally listed American burying beetle. Please refer to the appropriate permit number (e.g., TE-123456) when requesting application documents and when submitting comments. Documents and other information the applicant has submitted with this application are available for review, subject to Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552) requirements.

### **Permit TE35998C**

*Applicant:* NGPL PipeCo, LLC and Subsidiaries, Tulsa, OK.

Applicant requests a permit for oil and gas upstream and midstream production, including oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and

distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

**Permit TE35997C**

*Applicant:* Wildhorse Terminal, LLC, Houston, TX.

Applicant requests a permit for oil and gas upstream and midstream production, including oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

**Permit TE38803C**

*Applicant:* Antioch Operating, LLC, Oklahoma City, OK.

Applicant requests a permit for oil and gas upstream and midstream production, including oil and gas well field infrastructure geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning, as well as oil and gas gathering, transmission, and distribution pipeline infrastructure construction, maintenance, operation, repair, decommissioning, and reclamation in Oklahoma.

**Public Availability of Comments**

Written comments we receive become part of the public record associated with this action. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—

including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. We will not consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

### **Authority**

We provide this notice under section 10(c) of the Act (16 U.S.C. 1531 et seq.) and its implementing regulations (50 CFR 17.22) and the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and its implementing regulations (40 CFR 1506.6).

Joy E. Nicholopoulos,  
Acting Regional Director, Southwest Region,  
U.S. Fish and Wildlife Service.

[FR Doc. 2017-17533 Filed: 8/17/2017 8:45 am; Publication Date: 8/18/2017]